

**MINUTES
WEST ALLIS PLAN COMMISSION
WEDNESDAY, MARCH 25, 2015
6:00 PM
ROOM 128 – CITY HALL – 7525 W. GREENFIELD AVE.**

PRESENT: Mayor Dan Devine, Jim Hoerig, Vice-Chair; Wayne Clark; Ron Rieboldt; Jon Keckeisen; Eric Torkelson

EXCUSED: Jean Wolfgang; Jim Lisinski

STAFF: Steve Schaer, AICP, Manager of Planning and Zoning
Shaun Mueller, Senior Planner

OTHERS: Brett Miller, Rick Ihnen, Scott Littell, Diane Brandt, Michael Dlugi, James Taylor, Susie Taylor, Holly Radoll, Carrie Lenz, John Stibal

The meeting was called to order at 6:00 p.m. in Room 128.

1. Approval of the February 25, 2015 minutes.

A motion was made by Eric Torkelson and seconded by Jim Hoerig to approve the minutes of the February 25, 2015 meeting.

The motion carried unanimously.

6. Site, Landscaping and Architectural Plan Amendment for proposed façade improvement at 2006 S. 55 St., submitted by Steve Bersell, d/b/a Fiduciary Real Estate Development. (Tax Key No. 474-0002-002)

Discussion ensued with questions being answered by staff.

Brett Miller indicated that no refuse dumpster is proposed for the new tenant, but has issues with requirement 1A, stating there are a lot of tenant spaces, grass may not last due to salt usage and would prefer to keep the asphalt terrace.

Ron Rieboldt inquired if carriage walks would be an option, receiving confirmation from Steve Schaer.

Jim Hoerig stated this is a typical requirement to replace asphalt with grass in the area between curb and sidewalk.

Brett Miller questioned if adding grass in front of the unit being worked on instead of all 900' would be acceptable.

Steve Schaer advised that other properties within the area have grass in the terrace area and Fiduciary would have two years for completion, with an extension if need be.

Wayne Clark questioned when more windows were approved.

Steve Schaer stated these were approved in-house as the tenant had imposed a strict deadline on the property owner to perform, or lose a tenant. While such alterations as window openings typically require Plan Commission consideration, staff granted its conditional approval to proceed at the building owners risk of Plan Commission denying additional windows in a windowless building. Planning had also vetted

the proposal to install windows with the technical review (staff) committee prior to signing off on the permit to proceed.

Wayne Clark stated the Planning Department could have advised the Plan Commission of this approval earlier. While the staff report indicated the situation, Steve Schaer agreed and advised that Planning staff will work on advising the Plan Commission of this in the future.

John Stibal stated this was an exception to policy as the owner would have lost a tenant if they had to wait.

A motion was made by Ron Rieboldt and seconded by Jon Keckeisen to accept the staff recommendation.

Recommendation: Approval of the Site, Landscaping and Architectural Plan Amendment for proposed façade improvement at 2006 S. 55 St., submitted by Steve Bersell, d/b/a Fiduciary Real Estate Development. (Tax Key No. 474-0002-002), subject to the following conditions:

1. A revised site, landscaping and architectural plan being submitted to the Department of Development to show the following: (a) replacement of the existing S. 55 St. asphalt terrace with grass. Paved walkways may be coordinated between owner and staff; (b) if a tenant dumpster is needed, a four sided refuse enclosure being shown on the site plan. Details of the location and material being noted on plan; (c) repaint the north wall along W. Rogers St. which has been spot painted/patched to cover graffiti. Contact Steven Schaer, Manager of Planning and Zoning at 414-302-8466.
2. An estimated cost of landscaping and screening being submitted to the Department of Development for approval. Contact Steven Schaer, Manager of Planning and Zoning at 414-302-8466.
3. A surety bond or other form of security as required under Sec. 12.13(14) of the Revised Municipal Code in the amount of 125% of the estimated cost of landscaping and screening shall be executed by the applicant prior to the issuing of a building permit. Contact Steven Schaer, Manager of Planning and Zoning at 414-302-8466.

The motion carried unanimously.

- 2A. Special Use Permit for Tiaras and Capes, a proposed children's party business, to be located at 5528 W. Burnham St.**
- 2B. Site, Landscaping and Architectural Plans for Tiaras and Capes, a proposed children's party business, to be located at 5528 W. Burnham St., submitted by Holly Radoll, Tiaras and Capes. (Tax Key No. 455-0022-001)**

Items 2A and 2B were considered together.

Discussion ensued with questions being answered by staff. The applicant will work with the Engineering Department on the proposed implementation of a children's drop off and pick up zone along the east side of S. 56 St. The applicant indicated that parents dropping off or picking up kids would be directed to utilize this area in an effort to reduce crossing W. Burnham St.

A motion was made by Wayne Clark and seconded by Eric Torkelson to accept the staff recommendation.

Recommendation: Recommend Common Council approval of the Special Use Permit for Tiaras and Capes, a proposed children's party business, to be located at 5528 W. Burnham St., and approval of the Site, Landscaping and Architectural Plans for Tiaras and Capes, a proposed children's party business, to be located at 5528 W. Burnham St., submitted by Holly Radoll, Tiaras and Capes. (Tax Key No. 455-0022-001), subject to the following conditions:

(Items 1-4 are required to be satisfied prior to the issuance of building permits associated with the proposed work reviewed by the Plan Commission. Contractors applying for permits should be advised accordingly.)

1. A revised Site, Landscaping and Architectural Plan being submitted to the Department of Development to show the following: (a) a board on board fence along a portion of the north property line; and, (b) landscaping details for the existing planting bed located along the west foundation of the building. Contact Shaun Mueller, Senior Planner, at (414) 302-8470 with any questions.
2. An estimated cost of landscaping, paving and screening being submitted to the Department of Development for approval.
3. A surety bond or other form of security as required under Sec. 12.13(14) of the Revised Municipal Code in the amount of 125% of the estimated cost of the proposed fence shall be executed by the applicant prior to the issuing of a building permit. The attached security form shall be submitted to and approved by the Building Inspections and Neighborhood Services Department, relative to the cost estimate as determined in Condition #2. Contact Steve Schaer at (414) 302-8466.
4. Common Council approval of the Special Use Permit and applicant's acknowledgement signature on the Special Use Resolution being submitted to the Clerk's Office. A Public Hearing is scheduled for April 7, 2015.

(Remaining conditions of approval to be satisfied by the property owner within one year of Plan Commission approval)

5. Compliance with Section 2814 of the City's Policy and Procedures Manual relative to that policy as it relates to the replacement and repair to City walkways of damaged or defective (if any) abutting sidewalk.

The motion carried unanimously.

- 3A. Special Use Permit for proposed outdoor sales and display at A Shop to Carrie On, an existing business, located at 11045 W. National Ave.**
- 3B. Site and Landscaping Plan Amendment for proposed outdoor sales and display at a Shop to Carrie On, an existing business located at 11045 W National Ave., submitted by Carrie Lenz, d/b/a Shop to Carrie On. (Tax Key No. 520-1004-000)**

Items 3A and 3B were considered together.

Discussion ensued with questions being answered by staff. Carrie Lenz was present and discussed her business operations and proposal to offer outdoor sales and display as shown on the site plan.

A motion was made by Eric Torkelson and seconded by Jon Keckeisen to accept the staff recommendation.

Recommendation: Common Council approval of the Special Use Permit for proposed outdoor sales and display at a Shop to Carrie On, an existing business located at 11045 W National Ave. and approval of the proposed Site, Landscaping and Architectural Plans for proposed outdoor sales and display at a Shop to Carrie On, an existing business located at 11045 W National Ave., submitted by Carrie Lenz, d/b/a Shop to Carrie On (Tax Key No. 520-1004-000) subject to Common Council approval of the Special Use Permit.

The motion carried unanimously.

4. Site, Landscaping and Architectural Plans for a proposed American Transmission Company cell tower to be located in Klentz Park at 2601 S. 72 St, submitted by Scott Littell, d/b/a Sure-Site Consulting Group. (Tax Key No. 489-0549-000)

Discussion ensued with questions being answered by staff.

Jim Hoerig questioned why use a rectilinear shape when a more natural look would be linear.

Ron Rieboldt questioned what type of fence would be installed and was advised it would be a beige 8' high security fence.

Scott Littell confirmed the area would be monitored with cameras.

Wayne Clark inquired on the cabinet heights.

Scott Littell stated typically 10' in height, but could get them down to 8'.

Jon Keckeisen expressed concerns regarding the fence.

While the staff recommendation advised the Plan Commission to hold action on the proposed plan which included two options for the proposed tower and equipment, a motion was made by Wayne Clark and seconded by Jim Hoerig to approve the alternate North East location presented in the Site, Landscaping and Architectural Plans for a proposed American Transmission Company cell tower to be located in Klentz Park at 2601 S. 72 St, submitted by Scott Littell, d/b/a Sure-Site Consulting Group. (Tax Key No. 489-0549-000) subject to the following conditions:

(Items 1-2 are required to be satisfied prior to the issuance of building permits associated with the proposed work reviewed by the Plan Commission. Contractors applying for permits should be advised accordingly.)

1. A revised Site, Landscaping and Architectural Plan being submitted to the Department of Development to show the following: (a) ground equipment not exceeding the height of the 8-ft fence; (b) fence material details and color; (c) surrounding fence to feature a curvilinear shape, clipped or rounded corners; (d) landscape screening subject to the review and approval of the City Forester. Contact Steven Schaer, Planning Manager, at (414) 302-8466 with any questions.
2. Common Council consideration and approval and a Public Hearing being scheduled.

The motion carried unanimously.

5. Signage Plan Appeal for a proposed creative sign for Oscar's Frozen Custard, an existing restaurant located at 2362 S. 108 St., submitted by Michael Dlugi, d/b/a Sign Effectz. (Tax Key No. 485-0016-004)

Discussion ensued with questions being answered by staff.

Jim and Susie Taylor of Oscar's and Mike Dlugi of Sign Effectz were present at the table.

Jim Hoerig stated the sign is too big and recommends no more than 1.5 X the typical allowed height and size requirements. Jim indicated proportion limits should be placed on creative signage.

Ron Rieboldt stated reducing the height could create issues with readability. He thinks the proposed sign looks great and is in proportion with the building given its location on site.

Wayne Clark inquired as to what happened to the old sign and why was it allowed.

Steve Schaer advised that the sign predates the City's sign ordinance and its grandfathered sign.

Mr. Taylor indicated that the existing 30-ft tall Oscar's pole sign was installed in accordance with the sign ordinance at the time (1988).

Wayne Clark indicated that he thinks the proposed new sign is impressive, setting precedent, and inquired as to what problems/issues this would present going forward.

Steve Schaer advised we would continue to have case by case reviews for applicants proposing a sign under the creative sign section of the City sign ordinance as currently written, but in the future could consider an ordinance amendment to impose proportional limits of such creative signage (as Jim Hoerig notes in earlier discussion). Mr. Schaer also noted that the height of the building is about 24-ft tall and the proposed sign will not exceed the building height.

Mr. Taylor also noted that an existing non-conforming (30-ft pole sign) was being removed for a smaller sign proposed within the context of the current sign ordinance.

Jon Keckeisen suggested reducing the height of the sign 1/3.

Jim Hoerig stated while he's been on Plan Commission there have been pylon signs removed as they were subject to the 10' high requirement and that he was very concerned that this would set a precedent for other applicants to submit a creative sign plan with essentially no height or area restrictions.

Steve Schaer stated this proposal is being proposed by the applicant under the creative sign section of the sign ordinance. As such there is currently not a limit on height, but staff is recommending the proposed 21'-5" sign be reduced 2 ft. (to 19'-5"). This could be accomplished by eliminating the brick base and bring the sign down to 19'-5". As presented staff feels it meets the creative sign code criteria (1, 2(d), and 3 below). The Plan Commission's role is to determine if they feel the sign meets the characteristics of the creative sign section, and if so, review it for conformance within the criteria noted in section 13.21 (24) of the sign ordinance as follows:

An application for a creative sign must first be filed with the Department of Development. The Plan Commission shall review all creative sign applications and proposals. The Plan Commission may approve, deny or request changes to a sign, based on design criteria of that sign. In approving an application for a creative sign, the Plan Commission shall ensure that a proposed sign meets the following design criteria:

1. Design quality. The sign shall:

- a. Constitute a substantial aesthetic improvement to the site and shall have a positive visual impact on the surrounding area.*
- b. Be of unique design, and exhibit a high degree of thoughtfulness, imagination, inventiveness, and spirit.*
- c. Provide strong graphic character through the imaginative use of graphics, color, texture, quality materials, scale, and proportion.*

2. Contextual criteria. The sign shall contain at least one (1) of the following elements:

- a. Classic historic design style;*
- b. Creative image reflecting current or historic character of the City;*
- c. Symbols or imagery relating to the entertainment or design industry; or*
- d. Inventive representation of the use, name or logo of the structure or business.*

3. Architectural criteria. The sign shall:

- a. Utilize and/or enhance the architectural elements of the building.*
- b. Be placed in a logical location in relation to the overall composition of the building's facade and not cover any key architectural features/details of the facade.*

Wayne Clark questioned if the applicant accepts limiting the base.

Jim Hoerig questioned how big it too big and stated this sets precedent for future applicants to follow this lead.

Wayne Clark stated he has no issues with the sign.

Jim Taylor stated he doesn't have any issues with giving the base away but can't shrink the overall height of the sign.

Michael Dlugi stated the base gives the sign two more feet in height.

Wayne Clark moved to approve the 22.5' high sign as presented (including the brick base).

Jon Keckeisen stated this is a great opportunity to help businesses and people will be talking about this.

As presented, the Plan Commission determined that the proposed Oscar's sign meets the creative sign code criteria of 13.21 (24) 1, 2(d), and 3 of the sign ordinance. Furthermore, a larger existing non-conforming pole sign was being removed, and the proposed height of the new sign is lower than the existing building on site.

A motion was made by Wayne Clark and seconded by Ron Rieboldt to accept the staff recommendation for approval, but strike item 1(a) relative to reducing the height to less than 20-ft.

Recommendation: recommend approval of the Signage Plan Appeal for a proposed creative sign for Oscar's Frozen Custard, an existing restaurant located at 2362 S. 108 St., submitted by Michael Dlugi, d/b/a Sign Effectz. (Tax Key No. 485-0016-004), subject to the following conditions: ~~(a) reduction of the overall sign height to under 20 ft.;~~ (b) confirmation of proposed lighting levels to not over-light the area and cause distraction; and, (c) a site plan showing the proposed location outside of the vision triangle and required landscaping. Contact Bart Griepentrog, Planner II at (414) 302-8469 with any questions.

The motion carried by the following vote:

Aye: Eric Torkelson, Ron Rieboldt, Wayne Clark, Jon Keckeisen

No: Jim Hoerig

7. Review of Draft Single and Two-Family Home Minimum Construction Standards.

Discussion ensued with questions being answered by staff. No further comments were received from the Plan Commission. Staff noted that it will resend a copy to each of the Plan Commissioners, and bring the item back on the April Plan Commission meeting for a recommendation. The recommendation will then be forwarded to the Common Council for a consideration.

There being no other business, a motion was made by Eric Torkelson and seconded by Jon Keckeisen to adjourn.

The motion carried unanimously.

The Plan Commission meeting was adjourned at 7:28 p.m.